

12(b)(6). However, because [she] requested and was granted an extension of time to file her response, the court will consider the amended complaint timely and therefore permitted as a matter of course”); Jackson v. Merscorp Inc., 2013 WL 12190523, *1 (M.D.N.C May 20, 2013) (same).

Plaintiff filed her Amended Complaint (document #14) on August 31, 2021 within the extended time frame for responding to Defendant’s Motion.¹ See Text-Only Order entered July 30, 2021. Accordingly, the amendment is as a matter of course.

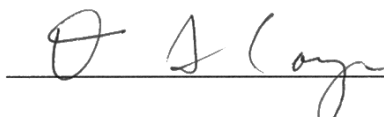
It is well settled that an amended pleading supersedes the original pleading, and that motions directed at superseded pleadings are to be denied as moot. Young v. City of Mount Ranier, 238 F. 3d 567, 573 (4th Cir. 2001) (amended pleading renders original pleading of no effect); Turner v. Kight, 192 F. Supp. 2d 391, 397 (D. Md. 2002) (denying as moot motion to dismiss original complaint on grounds that amended complaint superseded original complaint).

IT IS THEREFORE ORDERED that:

1. “Federal Defendant’s Motion[s] to Dismiss ...” (documents ## 11 and 12) are administratively **DENIED** as moot without prejudice.
2. The Clerk is directed to re-docket Document #14 as Plaintiff’s Amended Complaint.
3. The Clerk is further directed to send copies of this Order to pro se Plaintiff, counsel for Defendant, and to the Honorable Robert J. Conrad, Jr..

SO ORDERED.

Signed: September 10, 2021



David S. Cayer
United States Magistrate Judge



¹Although the Clerk of Court docketed the filing as a “Response” to the Motion to Dismiss, it is not labelled as such. Upon review, it is clear that the document is Plaintiff’s Amended Complaint.